

How to Make the Highway Construction Prevailing Wage Information into a Book

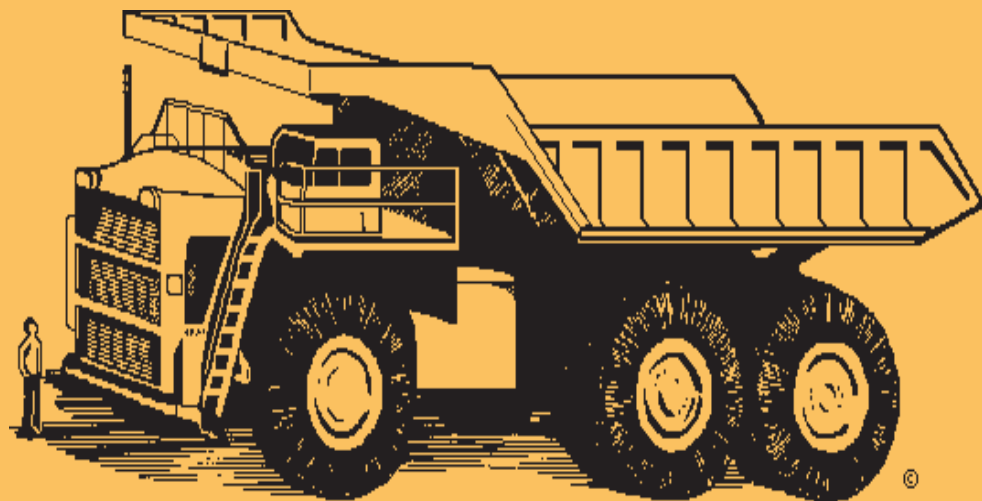
The 2004 Montana Highway Construction Prevailing Wage information is only available on line. However, you may print out the information and place it into a book format.

To do this, please print off using the landscape orientation. Next, staple at the top of the publication or use your own comb binding and you now have the information in book format.



MONTANA 2004 HIGHWAY CONSTRUCTION

PREVAILING WAGE BOOK



MONTANA PREVAILING WAGE RATES

Highway Construction
Rates Effective: Aug. 6, 2004

State of Montana
Judy Martz, Governor

Department of Labor & Industry
Wendy Keating, Commissioner

To obtain copies of prevailing wage rate schedules, contact:
Research and Analysis Bureau, Workforce Services Division
Montana Department of Labor and Industry
P. O. Box 1728, 840 Helena Ave.
Helena, MT 59624-1728
Phone 406-444-2430 FAX 406-444-2638
Toll free 800-541-3904
TDD 406-444-0532

We're also on the Internet at: www.ourfactsyourfuture.org

For information relating to public works projects and payment of
prevailing wage rates visit ERD at:

www.mtwagehourbopa.com or contact them at
Employment Relations Division
Montana Department of Labor and Industry
P. O. Box 6518
Helena, MT 59604-6518
Phone 406-444-5600
TDD 406-444-5549

As always, the Research and Analysis Bureau welcomes questions, comments and
suggestions from the public. In addition, we'll do our best to provide information
in accessible format, on request, in compliance with the Americans with Disabilities Act.

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MONTANA PREVAILING WAGE REQUIREMENTS

Highway Construction

The Commissioner of the Department of Labor and Industry, in accordance with Sections 18-2-401 and 18-2-402 of the Montana Code Annotated, has determined the standard prevailing rate of wages for the occupations listed in this publication.

The wages specified herein control the prevailing rate of wages for the purposes of 18-2-401, et seq., Montana Code Annotated. It is required that each employer pay, as a minimum, the rate of wages, including fringe benefits and zone pay applicable to those occupations in which the work is being performed, as provided in the attached wage determinations.

All Montana Prevailing Wage Rates are available on the Internet at: www.ourfactsyourfuture.org/pw or by contacting the Research and Analysis Bureau at (800) 541-3904 or TDD (406) 444-0532.

In addition, this publication provides general information concerning compliance with Montana’s Prevailing Wage Law and payment of prevailing wages. For detailed compliance information relating to Public Works projects and payment of prevailing wage rates, please consult the Regulations on the Internet at: www.mtwagehourbopa.com or contact the Labor Standards Bureau at (406) 444-5600 or TDD (406) 444-5549.



WENDY KEATING
Commissioner
Department of Labor and Industry
State of Montana

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A. Date of Publication: Aug. 6, 2004

B. Definition of Highway Construction

For the purposes of Prevailing Wage, the Commissioner of Labor and Industry has determined that Highway occupations are those rates that pertain to projects involved in construction fields other than building and residential. Federal Davis-Bacon wage rates as published in U.S. Department of Labor General Wage Decision No. MT20030002 11/07/2003 have been adopted by the Montana Department of Labor and Industry for use in Highway Construction projects and are included in this publication. These rates apply statewide or as shown in MT20030002 11/07/2003.

C. Definition of Public Works Projects

Contracts entered into for construction services (Heavy, Highway and Building) or Nonconstruction Services by the state, county, municipality, school district, or political subdivision in which the total cost of the contract is \$25,000 or more involving public funds.

D. Prevailing Wage Schedule

This publication covers only Highway Construction occupations and rates in the specific localities mentioned herein. These rates will remain in effect until superseded by a more current publication. Current prevailing wage rates schedules for Building Construction, Heavy Construction and Nonconstruction Services occupations can be found on the Internet at www.ourfactsyourfuture.org/pw or by contacting the Research and Analysis Bureau at (800) 541-3904 or TDD (406)4 44-0532.

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E. Fringe Benefits

Section 18-2-412 of the Montana Code Annotated states that:

“(1)... a contractor or subcontractor may: (a) pay the amount of fringe benefits and the basic hourly rate of pay that is part of the standard prevailing rate of wages directly to the worker or employee in cash;

(b) make an irrevocable contribution to a trustee or a third person pursuant to a fringe benefit fund, plan, or program that meets the requirements of the Employee Retirement Income Security Act of 1974 or that is a bona fide program approved by the United States department of labor; or

(c) make payments using any combination of methods set forth in subsections (1)(a) and (1)(b) so that the aggregate of payments and contributions is not less than the standard prevailing rate of wages, including fringe benefits for health and welfare and pension contributions that meet the requirements of the Employee Retirement Income Security Act of 1974, travel, or other bona fide programs approved by the United States department of labor, that is applicable to the district for the particular type of work being performed.

(2) The fringe benefit fund, plan, or program described in subsection (1)(b) must provide benefits to workers or employees for health care, pensions on retirement or death, life insurance, disability and sickness insurance, or bona fide programs that meet the requirements of the Employee Retirement Income Security Act of 1974 or that are approved by the United States department of labor.”

Employers are obligated to pay the wage rates and fringes as listed in the booklet, including the zone hourly rate when applicable. For heavy and highway construction occupations, the vacation benefit amount is **not** included in the prevailing wage rate, unless stated otherwise.

Fringe benefits are paid for all hours worked (straight time and overtime hours). However, fringe benefits are not to be considered a part of the hourly rate of pay for calculating overtime, unless there is a collectively bargained agreement in effect that specifies otherwise.

F. Apprentices

Wage rates for apprentices registered in approved federal or state apprenticeship programs are contained in those programs. However, apprentices not registered in approved federal or state apprenticeship programs will be paid the prevailing wage rate when working on a public works contract.

G. Posting Notice of Prevailing Wages

Section 18-2-406, Montana Code Annotated, provides that contractors, subcontractors, and employers who are performing work or providing services under public works contracts as provided in this part shall post in a prominent and accessible site on the project or work area, not later than the first day of work, a legible statement of all wages to be paid to the employees on such site or work area.

H. Employment Preference

Section 18-2-403, Montana Code Annotated requires contractors to give preference to the employment of bona fide Montana residents in the performance of work on public works contracts.

I. Rates to Use for Projects

Rates to be used on a public works project are those that are in effect at the time the project and bid specifications are advertised.

MONTANA STATEWIDE PREVAILING

DAVIS-BACON

**HIGHWAY CONSTRUCTION WAGE
RATES**

General Wage Determinations Issued Under
the Davis-Bacon and Related Acts

General Decision Number MT20030002 11/07/2003

County (ies):
Statewide

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COUNTY(ies):
STATEWIDE

ZONE PAY

CARPENTERS, CEMENT MASONS, IRON WORKERS, LABORERS,
POWER EQUIPMENT OPERATORS, AND TRUCK DRIVERS

The hourly wage rates applicable to each project shall be determined by measuring the road miles over the shortest practical maintained route from the County Courthouse of the following towns to the center of the job:

BILLINGS	GREAT FALLS	KALISPELL	MISSOULA
BOZEMAN	HAVRE	LEWISTOWN	
BUTTE	HELENA	MILES CITY	

ZONE 1: 0 to 30 miles	Base pay
ZONE 2: 30 to 60 miles	Base pay + \$2.95
ZONE 3: over 60 miles	Base pay + \$4.75

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* SUMT2001-001 09/04/2003

	Rates	Fringes
CARPENTERS:		
Carpenter	19.55	5.85
Piledriverman	19.55	5.85

CEMENT MASONS	17.37	5.50
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ELECTRICIANS:		
AREA 1	18.74	2.93+3.8%
AREA 2	20.13	4.76+3.8%
AREA 3	19.98	3.44+3.8%
AREA 4	19.84	3.51+3.8%
AREA 5	20.54	3.54+3.8%
AREA 6	18.02	3.44+3.8%

ELECTRICIANS AREA DESCRIPTIONS

AREA 1: Beaverhead, Deer Lodge, Granite, Jefferson, Madison, Silver Bow, and Powell Counties

AREA 2: Big Horn, Carbon, Carter, Custer, Dawson, Fallon, Garfield, Golden Valley, Musselshell, Powder River, Prairie Rosebud, Stillwater, Treasure, Wibaux, and Yellowstone Counties

AREA 3: Blaine, Cascade, Chouteau, Daniels, Fergus, Glacier, Hill, Judith Basin, Liberty, McCone, Petroleum, Pondera, Phillips, Richland, Roosevelt, Sheridan, Teton, Toole, Valley, and Wheatland Counties

AREA 4: Broadwater, Lewis and Clark, and Meagher Counties

AREA 5: Flathead, Lake, Lincoln, Mineral, Missoula, Ravalli, and Sanders Counties

AREA 6: Gallatin, Park, and Sweet Grass Counties

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	Rates	Fringes
IRON WORKERS:		
Flathead, Glacier, Lake, Lincoln, Mineral, Missoula and Sanders Counties	20.43	10.00
Remaining Counties	18.97	10.87

LABORERS:		
GROUP 1	13.68	5.50
GROUP 2	16.18	5.50
GROUP 3	16.35	5.50
GROUP 4	17.18	5.50

LABORERS CLASSIFICATIONS

GROUP 1: Flagperson

GROUP 2: All General Labor Work; Burning Bar; Bucket Man; Carpenter Tender; Caisson Worker; Cement Mason Tender; Cement Handler (dry); Chuck Tender; Choker Setter; Concrete Worker; Curb Machine-Lay Down; Crusher and Batch Plant Worker; Fence Erector; Form Setter; Form Stripper; Heater Tender; Landscaper; Pipe Wrapper; Pot Tender; Powderman Tender; Rail and Truck Loaders and Unloaders; Riprapper; Sealants for Concrete and Other Materials; Sign Erection, Guardrail and Jersey Rail; Stake Jumper; Spike Driver; Signalman; Tail Hoseman; Tool Checker and Houseman; Traffic Control Worker

GROUP 3: Concrete Vibrator; Dumpman (Grademan); Equipment Handler; Geotextile and Liners; High-Pressure Nozzlemen; Jackhammer (Pavement Breaker); Laser Equipment; Non-riding Rollers; Pipelayer; Posthole Digger (Power); Power-Driven Wheelbarrow; Rigger; Sandblaster; Sod Cutter-Power; Tampers

GROUP 4: Asphalt Raker; Cutting Torch; Grade Setter; High-Scaler; Power Saws (Faller & Concrete); Powderman (\$1.00 per hour above Group 4 rate); Rock & Core Drill; Track or Truck Mounted Wagon Drill; Welder including Air Arc

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	Rates	Fringes
LINE CONSTRUCTION:		
Equipment Operator	19.16	5.05
Groundman	15.40	5.05

PAINTERS:

Pavement marking and related work.

Includes operating marking and all other equipment, and all work involved in traffic marking, including removal, surface preparation and application of pavement markings including epoxies, paints, tape, buttons, thermo-plastics and any other products applied for traffic marking purposes and for directing and regulating traffic.

19.55 5.50

POWER EQUIPMENT OPERATORS:

GROUP 1	17.51	5.50
GROUP 2	18.38	5.50
GROUP 3	19.12	5.50
GROUP 4	19.71	5.50
GROUP 5	20.85	5.50
GROUP 6	21.44	5.50
GROUP 7	23.22	5.50

POWER EQUIPMENT OPERATORS CLASSIFICATIONS

GROUP 1: A-Frame Truck Crane; Air Compressor; Auto Fine Grader; Belt Finishing Machine; Boring Machine (small); Cement Silo, Crane; Crusher Conveyor, DW-10, 15, and 20 Tractor Roller; Farm Tractor; Forklift; Form-Grader; Front-end Loader under 1 cu yd; Oiler, Heavy Duty Drills; Pumpman; Oiler (All, Except Cranes and Shovels)

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POWER EQUIPMENT OPERATORS CLASSIFICATIONS

GROUP 2: Air Doctor; Backhoe/Excavator/Shovel to and including 3 cu yd; Bit Grinder; Bituminous Paving Travel Plant; Boring Machine, large; Broom, Self-Propelled; Concrete Bucket Dispatcher; Concrete Conveyor; Concrete Finish Machine; Concrete Float and Spreader; Concrete Travel Batcher; Distributor; Dozer, Rubber Tired, Push, and Side Boom; Drills, Heavy Duty (all types); Elevating Grader/Gradall; Field Equipment Serviceman; Front-end Loader 1 cu yd to and including 5 cu yd; Grade Setter; Hoist/Tugger (All Hydralift & Similar); Industrial Locomotive; Motor Patrol (Except Finish); Mountain Skidder; Oiler, Cranes and Shovels; Pavement Breaker, EMSCO; Power Saw, Self-Propelled; Pugmill; Pumpcrete/Grout Machine; Punch Truck; Rollers (All except Asphalt Finish and Breakdown); Ross Carrier; Rotomill under 6 ft; Trenching Machine; Washing/Screening Plant

GROUP 3: Asphalt Finish Roller; Asphalt Breakdown Roller; Asphalt Paving Machine; Backhoe/Excavator/Shovel larger than 3 cu yd; Asphalt Screed; Concrete Batch Plant; Cableway Highline; Concrete Curing Machine; Cranes, 24 tons & under; Cranes, Creter; Cranes, Electric Overhead; Concrete Pump; Curb Machine/Slip Form Paver; Finish Dozer; Mechanic/Welder; Pioneer Dozer; Rotomill 6 ft and over; Scraper, Single Engine; Scraper Twin or Pulling Belly Dump; Yo Yo Cat Front-end Loader over 5 cu yd

GROUP 4: Asphalt/Hot Plant Operator; Cranes, 25 tons to 44 tons; Crusher Operator; Finish Motor Patrol; Finish Scraper

SPECIAL OPERATORS:

GROUP 5: Cranes, 45 tons to and including 74 tons

GROUP 6: Cranes, 75 tons to and including 149 tons

GROUP 7: Cranes, 150 tons to and including 250 tons; Cranes over 250 tons: add \$1.00 for every 100 tons over 250 tons; Crane, Stiff-Leg or Derrick; Crane, Tower (all); Crane, Whirley (all); Helicopter Hoist

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TRUCK DRIVERS:	Rates	Fringes
GROUP 1	14.96	5.50
GROUP 2	19.55	5.50

TRUCK DRIVERS CLASSIFICATIONS

GROUP 1: Pilot Car

GROUP 2: Combination Truck and Concrete Mixer and Transit Mixer; Dry Batch Trucks; Distributor Driver; Dumpman; Dump Trucks and Similar Equipment; Dumpster; Flat Trucks; Lumber Carriers; Lowboys; Pickup; Powder Truck Driver; Power Boom; Serviceman; Service Truck/Fuel Truck/Tireperson; Truck Mechanic; Trucks with Power Equipment; Warehouseman, Partsman, Cardex and Warehouse Expeditor; Water Trucks

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR 5.5(a)(1)(ii)).

In the listing above, the *"SU" designation means that rates listed under that identifier do not reflect collectively bargained wage and fringe benefit rates. Other designations indicate unions whose rates have been determined to be prevailing.

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WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- * an existing published wage determination
- * a survey underlying a wage determination
- * a Wage and Hour Division letter setting forth a position on a wage determination matter
- * a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N. W.
Washington, D.C. 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N. W.
Washington, D.C. 20210

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The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N. W.
Washington, D.C. 20210

4.) All decisions by the Administrative Review Board are final.
END OF GENERAL DECISION